

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the Application of

Adang et al

BOARD OF PATENT APPEALS
AND INTERFERENCES

Application No: 07/713,624

Group Art Unit: 1804

Filed: June 10, 1991

Examiner: Dr. Che Chereskin

For: INSECT RESISTANT PLANTS

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. §1.115

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

This amendment is supplemental to the Amendment filed July 1, 1994 in the above-identified case.

Please amend the application as follows.

IN THE CLAIMS:

69. (Amended) A method of making a transformed dicotyledonous plant cell, dicotyledonous plant, or dicotyledonous plant tissue that expresses *Bacillus thuringiensis* crystal protein toxin, said method comprising:

(a) inserting into the genome of said plant cell a chimeric gene comprising, operably linked, a plant expressible promoter, a full-length or less than full-length *Bacillus thuringiensis* crystal protein structural gene that encodes crystal protein toxin, and a 3' non-translated polyadenylation region; and

(b)(i) selecting transformed dicotyledonous plant cells that express crystal protein toxin in amounts that control insects, or